

UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF NEW YORK

Arista Records Inc., et al.

v.

Launch Media, Inc.

DOCUMENT #

279

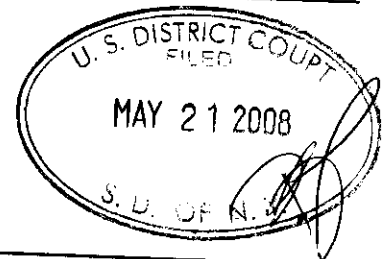
Date: May 21, 2008

U.S.C.A.# 08-1967-cv

U.S.D.C.# 01-CV-4450

D.C. JUDGE: NAOMI REICE BUCHWALD

INDEX TO THE RECORD ON APPEAL



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SEE ATTACHED LIST, ALL CIRCLED DOCUMENTS ARE INCLUDED.

(xxx) Original Record

( ) Supplemental Record

The record in the above-entitled case was indexed to the U.S.C.A. for the  
Second Circuit on the 21<sup>st</sup> Day of May, 2008.

**UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF NEW YORK**

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Arista Records Inc., et al.

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U.S.D.C.# 01-CV-4450

Launch Media, Inc.

D.C. JUDGE: NAOMI REICE BUCHWALD

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 278, inclusive, constitutes the Original record on appeal in the above-entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>
<u>03/15/2002</u>	<u>Answer</u>
<u>01/26/2004</u>	<u>Notice</u>
<u>02/18/2004</u>	<u>Notice of Motion</u>
<u>02/18/2004</u>	<u>Declaration</u>
<u>02/18/2004</u>	<u>Declaration</u>
<u>02/18/2004</u>	<u>Memorandum of Law</u>
<u>02/26/2004</u>	<u>Declaration</u>
<u>02/26/2004</u>	<u>Memorandum of Law</u>
<u>02/27/2004</u>	<u>Reply Memorandum of Law</u>
<u>02/27/2004</u>	<u>Reply Affidavit</u>
<u>03/24/2004</u>	<u>Notice of Motion</u>
<u>03/24/2004</u>	<u>Declaration</u>
<u>03/30/2004</u>	<u>Protective Order</u>
<u>03/31/2004</u>	<u>Declaration</u>
<u>03/31/2004</u>	<u>Memorandum of Law</u>

<u>04/01/2004</u>	<u>Memorandum of Law</u>
<u>04/01/2004</u>	<u>Declaration</u>
<u>04/02/2004</u>	<u>Reply Memorandum of Law</u>
<u>04/26/2004</u>	<u>Transcript</u>
<u>04/30/2004</u>	<u>Transcript</u>
<u>07/12/2004</u>	<u>Transcript</u>
<u>01/23/2006</u>	<u>Order</u>
<u>02/15/2006</u>	<u>Order</u>
<u>03/23/2006</u>	<u>Motion</u>
<u>03/23/2006</u>	<u>Motion</u>
<u>07/05/2006</u>	<u>Motion</u>
<u>07/05/2006</u>	<u>Memorandum of Law</u>
<u>07/05/2006</u>	<u>Declaration</u>
<u>07/20/2006</u>	<u>Response</u>
<u>10/10/2006</u>	<u>Scheduling Order</u>
<u>10/31/2006</u>	<u>Objections to Plaintiff's Pretrial Disclosure of Rebuttal Witnesses</u>
<u>11/16/2006</u>	<u>Motion</u>
<u>04/10/2007</u>	<u>Memorandum of Law</u>
<u>02/22/2008</u>	<u>Notice of Case Reassignment</u>
<u>05/16/2008</u>	<u>Reply Memorandum of Law</u>

**In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 21<sup>st</sup> Day of May In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232<sup>nd</sup> year.**

**J. Michael McMahon**

By \_\_\_\_\_  
**Deputy Clerk**

APPEAL, CLOSED

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:01-cv-04450-NRB**  
**Internal Use Only**

Arista Records Inc., et al v. Launch Media, Inc.  
Assigned to: Judge Naomi Reice Buchwald  
Demand: \$0  
Cause: 17:101 Copyright Infringement

Date Filed: 05/24/2001  
Date Terminated: 05/16/2007  
Jury Demand: Defendant  
Nature of Suit: 820 Copyright  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
05/24/2001	1	COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 407018. (db) (Entered: 05/25/2001)
05/24/2001		CASE REFERRED TO Judge Jed S. Rakoff as possibly related to 1:00cv3951, 1:00cv6833 and 1:00cv6831. (db) (Entered: 05/25/2001)
05/24/2001	2	RULE 1.9 CERTIFICATE filed by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., UMG Recordings Inc., Interscope Records, Motown Record Co., Zomba Recording. (db) (Entered: 05/25/2001)
05/31/2001		Case referred as related to 00-cv-3951 and declined by Judge Jed S. Rakoff and returned to wheel for assignment. (db) (Entered: 06/01/2001)
05/31/2001	3	Notice of Case Assignment to Judge Allen G. Schwartz. Copy of notice and judge's rules mailed to Attorney(s) of record: Robert A. Goodman. (db) (Entered: 06/01/2001)
05/31/2001		Magistrate Judge Ronald L. Ellis is so designated. (db) (Entered: 06/01/2001)
06/04/2001	4	INITIAL PRETRIAL CONFERENCE NOTICE: Counsel are directed to appear in courtroom 14C at 500 Pearl Street on 7/16/01 at 10:15 a.m. for a pretrial conference with the court for the purpose of discussing settlement, etc. ( signed by Judge Allen G. Schwartz ) (ae) (Entered: 06/05/2001)
06/19/2001	5	AFFIDAVIT OF SERVICE of Summons and Complaint as to Launch Media, Inc. c/o the Secretary of State of the State of New York by Carol Vogt on 5/31/01. Answer due on 6/20/01 for Launch Media, Inc. (tp) (Entered: 06/20/2001)
07/06/2001	6	Notice of Case Reassignment to Judge Richard Owen . Copy of notice and judge's rules mailed to Attorney(s) of record: Robert A. Goodman . (gmo) (Entered: 07/09/2001)
07/06/2001	7	NOTICE OF MOTION by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., UMG Recordings Inc., Interscope Records, Motown Record Co., Zomba Recording for an order admitting Hadrian R. Katz to the bar (sn) (Entered: 07/10/2001)
07/11/2001	8	fld Report of the parties purs to FRCP 26(f) (cd) (Entered: 07/13/2001)
07/13/2001	9	ORDER; granting [7-1] motion for an order admitting Hadrian R. Katz to the bar of this Court pro hac vice on behalf of plttfs. ( signed by Judge Richard Owen ); Copies mailed. (docmt forwarded to atty admissions clerk) (dj) (Entered: 07/13/2001)
07/13/2001	10	STIPULATION and ORDER, reset answer due for 7/20/01 for Launch Media, Inc. ( signed by Judge Richard Owen ) (sn) (Entered: 07/16/2001)
07/26/2001	11	NOTICE OF MOTION by Launch Media, Inc. for an order admitting Michael P.A. Cohen to the Bar of this Court pro hac vice on behalf of deft. Return date 8/17/01. Affidavits of Beth L. Kaufman, and Michael P.A. Cohen; and proposed order are attached. (sn) (Entered: 07/27/2001)
07/31/2001	12	Notice of Voluntary Dismissal pursuant to Rule 41(a)(1) of the F.R.C.P., without prejudice. ( signed by Judge Richard Owen ) (kg) (Entered: 07/31/2001)
07/31/2001		Case closed. (kg) (Entered: 07/31/2001)
07/31/2001	13	STIPULATION and ORDER, reset answer to complaint due for 8/3/01 for Launch Media, Inc. ( signed by Judge Richard Owen ) (ac) (Entered: 07/31/2001)
07/31/2001		Case reopened. Case closed in error. (dcap) (Entered: 09/07/2001)
08/03/2001	14	NOTICE OF MOTION by Launch Media, Inc. for an order, purs. to FRCP 12(b)(1) and 28 U.S.C. 1404(a) to dismiss this action ; or, in the alternative, for an order, to transfer this case to the Northern District of California ; or for an order, to stay ; Return date 8/31/01. Memo in support attached. (sac) (Entered: 08/06/2001)
08/03/2001	15	RULE 1.9 CERTIFICATE filed by Launch Media, Inc. (dj) (Entered: 08/06/2001)
08/06/2001	16	Order admitting Michael P.A. Cohen, as attorney pro hac vice, purs. to Local Rule 1.3(c) of the U.S.D.C. for the S.D.N.Y. on behalf of Defendant. ( signed by Judge Richard Owen ) ; Copies mailed (ae) (Entered: 08/07/2001)
08/27/2001	17	NOTICE OF CROSS MOTION by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., UMG Recordings Inc., Interscope Records, Motown Record Co., Zomba Recording; for an Order staying all further proceedings in the action entitled the Digital Media Association et al v. Recording Industry Association of America, case no. C-01 2129 (MEJ), pending in the Northern District of California . Return date 9/21/01. (kke) (Entered: 08/29/2001)
08/27/2001	18	MEMORANDUM OF LAW by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., UMG Recordings Inc., Interscope Records, Motown Record Co., Zomba Recording in opposition to [14-1] motion for an order, purs. to FRCP 12(b)(1) and 28 U.S.C. 1404(a) to dismiss this action, [14-2] motion for an order, to transfer this case to the Northern District of California, [14-3] motion for an order, to stay. (kke) (Entered: 08/29/2001)

08/27/2001	19	MEMORANDUM OF LAW by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., UMG Recordings Inc., Interscope Records, Motown Record Co., Zomba Recording in opposition to [14-1] motion for an order, District of California, [14-3] motion for an order, to stay, and in support of plaintiffs' [17-1] cross-motion for injunctive relief. (kkc) (Entered: 08/29/2001)
09/10/2001	20	REPLY MEMORANDUM by Launch Media, Inc. in support of [14-1] motion for an order, purs. to FRCP 12(b)(1) and 28 U.S.C. 1404(a) to dismiss this action, [14-2] motion for an order, to transfer this case to the Northern District of California, [14-3] motion for an order, to stay; and in opposition to pltf's cross-motion for injunctive relief. (sn) (Entered: 09/19/2001)
09/10/2001	21	DECLARATION of Robert D. Roback by Launch Media, Inc. in support Re: [14-1] motion for an order, purs. to FRCP 12(b)(1) and 28 U.S.C. 1404(a) to dismiss this action, [14-2] motion for an order, to transfer this case to the Northern District of California, [14-3] motion for an order, to stay. (sn) (Entered: 09/19/2001)
09/25/2001	22	REPLY MEMORANDUM by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., Zomba Recording in support of: [17-1] cross motion for an Order staying all further proceedings in the action entitled the Digital Media Association et al v. Recording Industry Association of America, case no. C-01 2129 (MEJ), pending in the Northern District of California. (kkc) (Entered: 09/26/2001)
01/04/2002		Transcript of record of proceedings before Judge Richard Owen on 11/2/01. (Original entry is docketed in 01 civ. 4450 as doc. #14). (kw) Modified on 01/08/2002 (Entered: 01/08/2002)
01/25/2002	23	Memorandum and ORDER; that defendants' motions to dismiss pursuant to F.R.C.P. 12(b)(1), or in the alternative to either transfer these cases to the Northern District of California pursuant to 28 U.S.C. section 1404(a) or stay the proceedings, in cases 01cv4450, 01cv5090 and 01cv5092, are denied; denying [17-1] cross motion for an Order staying all further proceedings in the action entitled the Digital Media Association et al v. Recording Industry Association of America, case no. C-01 2129 (MEJ), pending the Northern District of California. ( signed by Judge Richard Owen ); Copies mailed. (pl) (Entered: 01/30/2002)
02/15/2002	24	NOTICE of attorney appearance for Launch Media, Inc. by Kenneth A. Plevan. (kw) (Entered: 02/19/2002)
02/21/2002	25	STIPULATION OF ADJOURNMENT; reset answer to complaint due for 2/19/02 for Launch Media, Inc. ( signed by Judge Richard Owen ) (jco) (Entered: 02/25/2002)
03/01/2002	26	STIPULATION and ORDER; that the time for deft Launch Media, Inc. to answer the complaint is extended to and including 3/15/02. ( signed by Judge Richard Owen ) (jp) (Entered: 03/04/2002)
03/15/2002	27	ANSWER to Complaint by Launch Media, Inc. (Attorney Kenneth A. Plevan from the Firm: Skadden, Arps, Slate, Meagher & Flom, LLP); jury demand. (kkc) (Entered: 03/18/2002)
05/20/2002	28	NOTICE OF MOTION by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., Zomba Recording for an order pursuant to FRCP 26 and 37 to compel Launch to respond fully to pltf's first set of requests for production of documents, to compel dft to produce responsive documents, including electronic email by 6/7/02, awarding pltf's reasonable fees and costs incurred in bringing this motion, and authorizing pltf's counsel Oppenheim and Garfield, to have access to confidential discovery materials pursuant to a proposed stipulated protective order. Return Date 6/7/02 at 2:30. Declaration of Robert A. Goodman in support attached with additional exhibits. (bai) (Entered: 05/22/2002)
05/20/2002	29	MEMORANDUM OF LAW by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., Zomba Recording in support of [28-1] motion for an order pursuant to FRCP 26 and 37 to compel Launch to respond fully to pltf's first set of requests for production of documents, [28-2] motion to compel dft to produce responsive documents, including electronic email by 6/7/02, [28-3] motion awarding pltf's reasonable fees and costs incurred in bringing this motion, and authorizing pltf's counsel Oppenheim and Garfield, to have access to confidential discovery materials pursuant to a proposed stipulated protective order. (bai) (Entered: 05/22/2002)
05/20/2002	30	DECLARATION of Dean Garfield by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., UMG Recordings Inc., Interscope Records, Motown Record Co., Zomba Recording in support Re: [28-1] motion for an order pursuant to FRCP 26 and 37 to compel Launch to respond fully to pltf's first set of requests for production of documents, [28-2] motion to compel dft to produce responsive documents, including electronic email by 6/7/02, [28-3] motion awarding pltf's reasonable fees and costs incurred in bringing this motion, and authorizing pltf's counsel Oppenheim and Garfield, to have access to confidential discovery materials pursuant to a proposed stipulated protective order. (bai) (Entered: 05/22/2002)
05/20/2002	31	DECLARATION of Matthew Oppenheim by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., UMG Recordings Inc., Interscope Records, Motown Record Co., Zomba Recording in support Re: [28-1] motion for an order pursuant to FRCP 26 and 37 to compel Launch to respond fully to pltf's first set of requests for production of documents, [28-2] motion to compel dft to produce responsive documents, including electronic email by 6/7/02, [28-3] motion awarding pltf's reasonable fees and costs incurred in bringing this motion, and authorizing pltf's counsel Oppenheim and Garfield, to have access to confidential discovery materials pursuant to a proposed stipulated protective order. (bai) (Entered: 05/22/2002)
05/21/2002	32	NOTICE OF MOTION by Launch Media, Inc. pursuant to Rules 26, 33, 34, and 37 of the FRCP, for an Order overruling certain objections asserted by Plaintiffs in response to Defendant's First Request for the Production of Documents, dated March 19, 2002, and Defendant's First Interrogatories to Plaintiffs, dated March 19, 2002. Return Date 6/7/02 at 2:30. (yv) (Entered: 05/24/2002)
05/21/2002	33	MEMORANDUM OF LAW by Launch Media, Inc. in support of [32-1] motion pursuant to Rules 26, 33, 34, and 37 of the FRCP, for an Order overruling certain objections asserted by Plaintiffs in response to Defendant's First Request for the Production of Documents, dated March 19, 2002, and Defendant's First Interrogatories to Plaintiffs, dated March 19, 2002. (yv) (Entered: 05/24/2002)
05/21/2002	34	DECLARATION of Kenneth A. Plevan by Launch Media, Inc. in support Re: [32-1] motion pursuant to Rules 26, 33, 34, and 37 of the FRCP, for an Order overruling certain objections asserted by Plaintiffs in response to Defendant's First Request for the Production of Documents, dated March 19, 2002, and Defendant's First Interrogatories to Plaintiffs, dated March 19, 2002. (yv) (Entered: 05/24/2002)
05/28/2002	35	NOTICE OF CROSS-MOTION by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., Zomba Recording for an order pursuant to Rule 26 of the FRCP staying discovery on ownership of specific sound recordings. Declaration of Robert A. Goodman attached. Return Date 6/7/02 at 2:30. (db) (Entered: 05/31/2002)
05/28/2002	36	MEMORANDUM OF LAW by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., Zomba Recording in opposition to [32-1] motion pursuant to Rules 26, 33, 34, and 37 of the FRCP, for an Order overruling certain objections asserted by Plaintiffs in response to Defendant's First Request for the Production of Documents, dated March 19, 2002, and Defendant's First Interrogatories to Plaintiffs, dated March 19, 2002. (db) (Entered: 05/31/2002)



05/28/2002	37	MEMORANDUM OF LAW by Launch Media, Inc. in opposition to [28-1] motion for an order pursuant to FRCP 26 and 37 to compel Launch to respond fully to pltf's first set of requests for production of documents, [28-2] motion to compel dft to produce responsive documents, including electronic email by 6/7/02 . (db) (Entered: 05/31/2002)
05/28/2002	38	DECLARATION of Kenneth A. Plevan by Launch Media, Inc. in opposition Re: [28-1] motion for an order pursuant to FRCP 26 and 37 to compel Launch to respond fully to pltf's first set of requests for production of documents, [28-2] motion to compel dft to produce responsive documents, including electronic email by 6/7/02 . (db) (Entered: 05/31/2002)
05/31/2002	39	REPLY MEMORANDUM by Launch Media, Inc. in support of [32-1] motion pursuant to Rules 26, 33, 34, and 37 of the FRCP, for an Order overruling certain objections asserted by Plaintiffs in response to Defendant's First Request for the Production of Documents, dated March 19, 2002, and Defendant's First Interrogatories to Plaintiffs, dated March 19, 2002. (jco) (Entered: 06/05/2002)
05/31/2002	40	REPLY MEMORANDUM by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., Zomba Recording re: [28-1] motion for an order pursuant to FRCP 26 and 37 to compel Launch to respond fully to pltf's first set of requests for production of documents, [28-2] motion to compel dft to produce responsive documents, including electronic email by 6/7/02. (jco) (Entered: 06/05/2002)
05/31/2002	41	DECLARATION of William Patry by Launch Media, Inc. in support Re: [32-1] motion pursuant to Rules 26, 33, 34, and 37 of the FRCP, for an Order overruling certain objections asserted by Plaintiffs in response to Defendant's First Request for the Production of Documents, dated March 19, 2002, and Defendant's First Interrogatories to Plaintiffs, dated March 19, 2002. (jco) (Entered: 06/05/2002)
06/05/2002	43	MEMORANDUM OF LAW by Launch Media, Inc. in opposition to plttfs' motion for protective order. (sac) (Entered: 06/14/2002)
06/05/2002	44	DECLARATION of William Patry by Launch Media, Inc. in opposition Re: [35-1] cross motion for an order pursuant to Rule 26 of the FRCP staying discovery on ownership of specific sound recordings. (sac) (Entered: 06/14/2002)
06/05/2002	45	DECLARATION of Kenneth A. Plevan by Launch Media, Inc. in opposition to plttfs' motion to bifurcate discovery. (sac) (Entered: 06/14/2002)
06/06/2002	42	REPLY MEMORANDUM by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., Zomba Recording with respect to their Cross-Motion for Protective Order. (jco) (Entered: 06/13/2002)
06/14/2002	46	NOTICE OF MOTION by Launch Media, Inc. pursuant to Rules 26,34 and 37 of the FRCP, for an Order ordering plaintiffs to produce unredacted documents in response to Launch's document requests . Return Date 6/28/02 at 2:30. (yv) (Entered: 06/19/2002)
06/14/2002	47	MEMORANDUM OF LAW by Launch Media, Inc. in support of [46-1] motion pursuant to Rules 26,34 and 37 of the FRCP, for an Order ordering plaintiffs to produce unredacted documents in response to Launch's document requests . (yv) (Entered: 06/19/2002)
06/14/2002	48	DECLARATION of Paul M. Fakler by Launch Media, Inc. in support Re: [46-1] motion pursuant to Rules 26,34 and 37 of the FRCP, for an Order ordering plaintiffs to produce unredacted documents in response to Launch's document requests . (yv) (Entered: 06/19/2002)
06/26/2002	49	MEMORANDUM OF LAW by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., UMG Recordings Inc., Interscope Records, Motown Record Co., Zomba Recording in opposition to [46-1] motion pursuant to Rules 26,34 and 37 of the FRCP, for an Order ordering plaintiffs to produce unredacted documents in response to Launch's document requests . (yv) (Entered: 07/03/2002)
06/26/2002	50	DECLARATION of Robert A. Goodman by Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Virgin Records, Inc., Sony Music, Inc., UMG Recordings Inc., Interscope Records, Motown Record Co., Zomba Recording in opposition Re: [46-1] motion pursuant to Rules 26,34 and 37 of the FRCP, for an Order ordering plaintiffs to produce unredacted documents in response to Launch's document requests . (yv) (Entered: 07/03/2002)
07/03/2002	51	REPLY MEMORANDUM by Launch Media, Inc. in support re: [46-1] motion pursuant to Rules 26,34 and 37 of the FRCP, for an Order ordering plaintiffs to produce unredacted documents in response to Launch's document requests. (sac) (Entered: 07/11/2002)
07/03/2002	52	REPLY DECLARATION of Paul M. Fakler by Launch Media, Inc. in support re: [46-1] motion pursuant to Rules 26,34 and 37 of the FRCP, for an Order ordering plaintiffs to produce unredacted documents in response to Launch's document requests. (sac) (Entered: 07/11/2002)
09/25/2002	53	NOTICE OF MOTION by Launch Media, Inc. for an order, ordering the Recording Industry Association of America, Inc. to produce documents in response to the subpoena Launch served on RIAA. Return Date 10/18/02 at 2:30. Declaration of Paul M. Fakler attached. (sb) (Entered: 10/02/2002)
09/25/2002	54	MEMORANDUM OF LAW by Launch Media, Inc. in support of [53-1] motion for an order, ordering the Recording Industry Association of America, Inc. to produce documents in response to the subpoena Launch served on RIAA. (sb) (Entered: 10/02/2002)
10/04/2002	55	Memo-Endorsement on letter addressed to Judge Owen from Kenneth A. Plevan, dated 10/2/02: The Court grants the within proposed withdrawal. Withdrawing without prejudice [53-1] motion for an order, ordering the Recording Industry Association of America, Inc. to produce documents in response to the subpoena Launch served on RIAA. ( signed by Judge Richard Owen ). (tp) Modified on 10/09/2002 (Entered: 10/09/2002)
10/15/2002	56	ORDER, defendant's motion to compel dated 9/25/02 shall be deemed withdrawn without prejudice . ( signed by Judge Richard Owen ); (kw) Modified on 10/18/2002 (Entered: 10/17/2002)
11/04/2002	57	MEMORANDUM AND ORDER, regarding issues concerning the motions to compel production of documents and other pretrial disclosure issues as further described herein. Accordingly the court declines, at this stage, on this record, to order the turnover of any of the five categories of documents except to the extent that the defendant has acknowledged at the hearing that there has already been a turn over as further set forth . ( signed by Judge Richard Owen ). (tp) (Entered: 11/07/2002)
11/08/2002		Terminated documents 28-1,28-2,28-3,32-1,35-1,46-1 pursuant to instructions of Judge Owen as indicated on the CJRA report. (rag) (Entered: 11/08/2002)
12/03/2002	58	Transcript of record of proceedings before Judge Richard Owen for the date(s) of 10/18/02. (pl) (Entered: 12/03/2002)
12/27/2002	59	NOTICE of attorney appearance for Launch Media, Inc. by Geoffrey S. Stewart. (tp) (Entered: 01/06/2003)
01/24/2003	61	NOTICE OF MOTION by Launch Media, Inc. for Peter J. Wang to appear pro hac vice on behalf of defendant . Return Date 2/21/03 at 2:30 p.m. Affidavit of Geoffrey S. Stewart, Proposed Order, and Exhibits A and B are attached. (tp) (Entered: 01/30/2003)
01/28/2003	60	ORDER, for Peter J. Wang to appear pro hac vice for deft Launch Media, Inc. ( signed by Judge Richard Owen ); forwarded orig. doc. to the Atty Admissions Clerk (cd) (Entered: 01/30/2003)

02/20/2003	62	STIPULATION AND ORDER of dismissal of the action with prejudice as to the claims of the settling plntff, Sony Music Entertainment Inc. purs to FRCP 41. ( signed by Judge Richard Owen ) (cd) Modified on 06/24/2003 (Entered: 02/24/2003)
02/20/2003		Case closed. (ae) (Entered: 03/18/2003)
02/20/2003		Case reopened. Closed out in error. (ae) (Entered: 06/24/2003)
06/27/2003	63	DECLARATION of David W. Hansen by Launch Media, Inc. in support Entry of a Protective Order, dated 6/26/03. (sac) (Entered: 07/01/2003)
06/30/2003	64	NOTICE OF MOTION by Launch Media, Inc. for an order, purs. to Rule 26 of the FRCP, for entry of a protective order. Return Date 7/18/03 at 2:30. Proposed order attached. (sb) (Entered: 07/02/2003)
06/30/2003	65	MEMORANDUM OF LAW by Launch Media, Inc. in support of [64-1] motion for an order, purs. to Rule 26 of the FRCP, for entry of a protective order. (sb) (Entered: 07/02/2003)
06/30/2003	66	DECLARATION of Reginald D. Davis by Launch Media, Inc. in support of [64-1] motion for an order, purs. to Rule 26 of the FRCP, for entry of a protective order. (sb) (Entered: 07/02/2003)
06/30/2003	67	DECLARATION of David W. Hansen by Launch Media, Inc. in support of [64-1] motion for an order, purs. to Rule 26 of the FRCP, for entry of a protective order. (sb) (Entered: 07/02/2003)
06/30/2003	68	DECLARATION of Geoffrey S. Stewart by Launch Media, Inc. in support of [64-1] motion for an order, purs. to Rule 26 of the FRCP, for entry of a protective order. (sb) (Entered: 07/02/2003)
09/15/2003	69	CASE SCHEDULING ORDER: that all fact discovery cutoff 1/30/04; deadline for filing of dispositive motions 3/15/04; additional discovery deadlines are as set forth in this Order. ( signed by Judge Richard Owen ); (pl) (Entered: 09/16/2003)
09/30/2003	70	STIPULATED PROTECTIVE ORDER CONCERNING SOURCE CODE, regarding procedures to be followed that shall govern the handling of confidential materials. ( signed by Judge Richard Owen ) (tp) (Entered: 10/02/2003)
11/10/2003	71	STIPULATION PROTECTIVE ORDER; regarding procedures to be followed that shall govern the handling of "confidential materials". ( signed by Judge Richard Owen ) (jco) (Entered: 11/12/2003)
11/10/2003	72	Transcript of record of proceedings before Judge Richard Owen for the date(s) of 9/12/03. (df) (Entered: 11/18/2003)
11/19/2003	73	SEALED DOCUMENT placed in vault. (kre) (Entered: 11/19/2003)
11/19/2003	74	SEALED DOCUMENT placed in vault. (kre) (Entered: 11/19/2003)
11/19/2003	75	SEALED DOCUMENT placed in vault. (kre) (Entered: 11/19/2003)
12/08/2003	76	ORDER; regarding procedures to be followed that shall govern the handling of Launch Media's motion to compel. (Signed by Judge Richard Owen on 12/8/2003) (Pecorino, Joseph) (Entered: 12/19/2003)
12/08/2003		Set Deadlines/Hearings: Replies due by 12/12/2003. Responses due by 12/5/2003 (Pecorino, Joseph) (Entered: 12/19/2003)
12/23/2003	77	STIPULATION AND ORDER OF PARTIAL DISCONTINUANCE as two Plaintiffs' Capitol Records Inc. and Virgin Records America, Inc. and Defendant Launch Media, Inc., that pursuant to said parties' settlement agreement, the Complaint in this action is dismissed without prejudice as to the claims of the Settling Plaintiffs pursuant to Rule 41 of the Federal Rules of Civil Procedure. (Signed by Judge Richard Owen on 12/23/03) (sac, ) (Entered: 01/07/2004)
01/22/2004	78	MOTION for James F. Brelsford to Appear Pro Hac Vice with Attached Affidvt of Geoffrey S. Stewart in Support. (NDB) Document filed by Launch Media, Inc.. Return Date set for 2/27/2004 02:30 PM before Judge Richard Owen. (pa, ) (Entered: 01/28/2004)
01/26/2004	79	NOTICE of Change of Address and Name of Firm by Tracy V. Bergmann, Geoffrey S. Stewart on behalf of Launch Media, Inc. New Firm Address and Name: Jones Day, 222 East 41st Street, New York, New York, 10017-6702. (jco, ) (Entered: 02/02/2004)
01/26/2004	81	MOTION for Protective Order, pursuant to Rule 26(c), prohibiting the deposition of Yahoo! Inc.'s CEO, Terry Semel, sought by plaintiffs Arista Records, Inc., Bad Boy Records, BMG Music and Zomba Recording Corporation. Document filed by Launch Media, Inc.. Return Date set for 3/5/2004 02:30 PM before Judge Richard Owen. Received in the night deposit box on 1/26/04 at 6:56 P.M.(sac, ) (Entered: 02/02/2004)
01/26/2004	82	DECLARATION of Geoffrey S. Stewart in Support re: 81 MOTION for Protective Order. Document filed by Launch Media, Inc. Received in the night deposit box on 1/26/04 at 6:57 P.M. (sac, ) (Entered: 02/02/2004)
01/29/2004	83	ORDER granting 78 Motion for James F. Brelsford to Appear Pro Hac Vice. (Signed by Judge Richard Owen on 1/27/04) (sb, ) (Entered: 02/06/2004)
01/29/2004		Transmission to Attorney Admissions Clerk. Transmitted re: 83 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (sb, ) (Entered: 02/06/2004)
02/02/2004	80	TRANSCRIPT of proceedings held on 12/12/03 before Judge Richard Owen.(rg, ) (Entered: 02/02/2004)
02/09/2004	85	DECLARATION of Robert A. Goodman in Opposition re: 81 MOTION for Protective Order.. Document filed by Arista Records Inc., BMG Music, Bad Boy Records, Capitol Records, Inc., Virgin Records America, Inc., Zomba Recording Corporation. (dle, ) (Entered: 02/11/2004)
02/09/2004	86	MEMORANDUM OF LAW in Opposition re: 81 MOTION for Protective Order.. Document filed by Arista Records Inc., BMG Music, Bad Boy Records, Capitol Records, Inc., Virgin Records America, Inc., Zomba Recording Corporation. (dle, ) (Entered: 02/11/2004)
02/11/2004	87	REPLY MEMORANDUM OF LAW in Support re: 64 Motion for Protective Order. Document filed by Launch Media, Inc. (kw, ) (Entered: 02/17/2004)
02/11/2004	88	Reply DECLARATION of Geoffrey S. Stewart in Support re: 64 Motion for Protective Order. Document filed by Launch Media, Inc. (kw, ) (Entered: 02/17/2004)
02/18/2004	89	NOTICE OF MOTION to determine sufficiency of plttfs answers and objections to requests for admission (NDB). Document filed by Launch Media, Inc.. Return Date set for 3/5/2004 02:30 PM before Judge Richard Owen. (pa, ) (Entered: 02/19/2004)
02/18/2004	90	DECLARATION of Geoffrey S. Stewart to certifying defts good faith attempts to rresolve this dispute without court intervention.. (NDB) Document filed by Launch Media, Inc.. (pa, ) Modified on 2/19/2004 (pa, ). (Entered: 02/19/2004)
02/18/2004	91	DECLARATION of Geoffrey S. Stewart in Support re: 89 MOTION to determine sufficiency of plttfs answers and objections to requests for admission.. Document filed by Launch Media, Inc.. (pa, ) (Entered: 02/19/2004)



02/18/2004	92	MEMORANDUM OF LAW in Support re: 89 MOTION to determine sufficiency of plttfs answers and objections to requests for admission. (NDB) Document filed by Launch Media, Inc. (pa, ) (Entered: 02/19/2004)
02/26/2004	93	DECLARATION of Robert Goodman in Opposition re: 89 MOTION to determine sufficiency of plttfs answers and objections to requests for admission.(nite dep. box). Document filed by Arista Records Inc., BMG Music, Bad Boy Records, Capitol Records, Inc., Virgin Records America, Inc., Zomba Recording Corporation. (pa, ) (Entered: 02/27/2004)
02/26/2004	94	MEMORANDUM OF LAW in Opposition re: 89 MOTION to determine sufficiency of plttfs answers and objections to requests for admission (nite dep. box).. Document filed by Arista Records Inc., BMG Music, Bad Boy Records, Capitol Records, Inc., Virgin Records America, Inc., Zomba Recording Corporation. (pa, ) (Entered: 02/27/2004)
02/27/2004	95	REPLY MEMORANDUM OF LAW in Support re: 89 MOTION to determine sufficiency of plttfs answers and objections to requests for admission. Document filed by Launch Media, Inc. (cd, ) (Entered: 03/02/2004)
02/27/2004	96	REPLY AFFIDAVIT of Geoffrey Stewart in Support re: 89 MOTION to determine sufficiency of plttfs answers and objections to requests for admission. Document filed by Launch Media, Inc. (cd, ) (Entered: 03/02/2004)
03/16/2004	108	DECLARATION of Robert Goodman in Support of plttfs motion for part. summ. judgt on the issue of whether depts webcasting service was interactive within the meaning of 17 USC 114 (nite dep. box). Document filed by Arista Records Inc., BMG Music, Bad Boy Records, Capitol Records, Inc., Virgin Records America, Inc., Zomba Recording Corporation. (pa, ) (Entered: 03/19/2004)
03/16/2004	109	DECLARATION of Laura Lombardo in Support of plttfs motion for summ. judgt. (nite dep. box). Document filed by Arista Records Inc., BMG Music, Bad Boy Records, Capitol Records, Inc., Virgin Records America, Inc., Zomba Recording Corporation. (pa, ) (Entered: 03/19/2004)
03/17/2004	110	DECLARATION of Laura Lombardo based on personal knowledge and would be competent to testify as to the truth of the matters. & in support of plttfs motion for summ. judgt. (nite dep. box). Document filed by Arista Records Inc., BMG Music, Bad Boy Records, Capitol Records, Inc., Virgin Records America, Inc., Zomba Recording Corporation. (pa, ) (Entered: 03/19/2004)
03/24/2004	113	NOTICE OF MOTION to Compel discovery from plttfs and from the Recording Ind. Association of America. (nite dep. box). Document filed by Launch Media, Inc.. Return Date set for 4/9/2004 02:30 PM before Judge Richard Owen. (pa, ) (Entered: 03/25/2004)
03/24/2004	114	DECLARATION of Daniel H. Bromberg in Support re: 113 MOTION to Compel..(nite dep. box) Document filed by Launch Media, Inc.. (pa, ) (Entered: 03/25/2004)
03/30/2004	115	STIPULATION AND ORDER. Launch Media, Inc.'s papers in opposition to plaintiffs' 2 motions for partial summary judgment, dated 3/15/04, shall be served no later than 4/30/04; plaintiffs' reply papers shall be served no later than 6/1/04; (Signed by Judge Richard Owen on 3/23/04) (yv, ) (Entered: 04/01/2004)
03/30/2004	118	PROTECTIVE ORDER PROHIBITING DEPOSITION OF TERRY SEMEL; granting 64 Motion for Protective Order . (Signed by Judge Richard Owen on 3/29/04) (pl, ) (Entered: 04/01/2004)
03/31/2004	116	DECLARATION of Robert Goodman in Support of plttfs opposition to motion of deft to compel discovery. (nite dep. box) Document filed by Arista Records Inc., BMG Music, Bad Boy Records, Capitol Records, Inc., Virgin Records America, Inc., Zomba Recording Corporation. (pa, ) (Entered: 04/01/2004)
03/31/2004	117	MEMORANDUM OF LAW in Opposition re: 113 MOTION to Compel..(nite dep. box) Document filed by Arista Records Inc., BMG Music, Bad Boy Records, Capitol Records, Inc., Virgin Records America, Inc., Zomba Recording Corporation. (pa, ) (Entered: 04/01/2004)
04/01/2004	120	MEMORANDUM OF LAW third party respondent recording Industry Assoc. of America in Opposition re: 113 MOTION to Compel.. (djc, ) (Entered: 04/02/2004)
04/01/2004	121	DECLARATION of Paul C. Rauser in Opposition re: 113 MOTION to Compel.. (djc, ) (Entered: 04/02/2004)
04/02/2004	122	NOTICE OF MOTION for Paul C. Rauser to Appear Pro Hac Vice.(nite dep. box) Document filed by Arista Records Inc., BMG Music, Bad Boy Records, Capitol Records, Inc., Virgin Records America, Inc., Zomba Recording Corporation. Return Date set for 4/9/2004 02:30 PM before Judge Richard Owen. (pa, ) (Entered: 04/05/2004)
04/02/2004	123	NOTICE OF MOTION for Brad R. Newberg to Appear Pro Hac Vice.(nite dep. box) Document filed by Arista Records Inc., BMG Music, Bad Boy Records, Capitol Records, Inc., Virgin Records America, Inc., Zomba Recording Corporation. Return Date set for 4/9/2004 02:30 PM before Judge Richard Owen. (pa, ) (Entered: 04/05/2004)
04/02/2004	124	REPLY MEMORANDUM OF LAW in Support re: 113 MOTION to Compel. Document filed by Launch Media, Inc. (db, ) (Entered: 04/05/2004)
04/06/2004	125	ORDER granting 123 Motion for Brad R. Newberg to Appear Pro Hac Vice . (Signed by Judge Richard Owen on 4/5/04) (yv, ) (Entered: 04/07/2004)
04/06/2004	126	ORDER granting 122 Motion for Paul C. Rauser to Appear Pro Hac Vice . (Signed by Judge Richard Owen on 04/05/04) (djc, ) (Entered: 04/07/2004)
04/06/2004		Transmission to Attorney Admissions Clerk. Transmitted re: 126 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (djc, ) (Entered: 04/07/2004)
04/26/2004	127	TRANSCRIPT of proceedings held on 3/5/2004 before Judge Richard Owen.(jmi, ) (Entered: 04/26/2004)
04/30/2004	128	TRANSCRIPT of proceedings held on 4/9/04 before Judge Richard Owen.(dfe, ) (Entered: 04/30/2004)
06/18/2004	140	Newberg Declaration; Exhibits 1-13 and 14-25. (djc, ) (Entered: 06/21/2004)
07/01/2004	141	DECLARATION of Robert Goodman in Support re: Motion for partial summary judgment, dated 3/15/04. Document filed by Launch Media, Inc. (cd, ) (Entered: 07/07/2004)
07/09/2004	142	DECLARATION of Geoffrey S. Stewart. Document filed by Launch Media, Inc.. (jmi, ) (Entered: 07/12/2004)
07/12/2004	143	TRANSCRIPT of proceedings held on 6/18/04 @3:30 pm before Judge Richard Owen.(mbe, ) (Entered: 07/12/2004)
11/03/2005	144	MEMORANDUM AND ORDER; there are genuine issues of material fact with respect to (1) where the line is for "interactivity" and (2) assuming it was crossed, whether Launch willfully infringed on the plaintiff's rights under the Copyright Act. Accordingly, the motions for summary judgment are DENIED. (Signed by Judge Richard Owen on 11/2/05) (kco, ) (Entered: 11/04/2005)



12/09/2005	145	CASE SCHEDULING ORDER: motions in limine due by 2/2/2006, hearing on motions in limine 3/3/2006. Pre-trial motion due by 4/27/2006, hearing on pre-trial motions 5/26/2006. Submissions of pre-trial memorandum one week before trial. (Signed by Judge Richard Owen on 12/9/05) (kco, ) (Entered: 12/12/2005)
12/20/2005	146	NOTICE OF CHANGE OF ADDRESS by Geoffrey St. Andrew Stewart on behalf of Launch Media, Inc. New Address: 222 East 41st Street, New York, NY, 10017-6702, (212) 326-3939. (jco, ) (Entered: 12/23/2005)
12/28/2005	147	MOTION for Carmen M. Guerricagotia to Appear Pro Hac Vice for deft. Document filed by Launch Media, Inc. (cd, ) (Entered: 12/28/2005)
01/23/2006	148	ORDER granting 147 Motion for Carmen M. Guerricagotia to Appear Pro Hac Vice. (Signed by Judge Richard Owen on 1/20/2006) (jmi, ) (Entered: 01/24/2006)
01/30/2006		CASHIERS OFFICE REMARK on 148 Order on Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 1/30/2006, Receipt Number 568701. (jd, ) (Entered: 01/30/2006)
02/02/2006	153	MOTION in limine no.3 for an order to exclude the expert opinion, testimony and report of Barry M. Massarskyed by Launch Media, Inc.. Return Date set for 3/3/2006 02:30 PM. (dle, ) (Entered: 02/02/2006)
02/02/2006	154	MOTION in limine #2 for an order excluding evidence and arguments that support a claim that statutory damages should be assessed by any means other than per CD. Document filed by Launch Media, Inc.. Return Date set for 3/3/2006 02:30 PM. (dle, ) (Entered: 02/02/2006)
02/02/2006	155	MOTION in Limine #1 for an order to exclude evidence and arguments related to infringement of specified works. Document filed by Launch Media, Inc.. Return Date set for 3/3/2006 02:30 PM. (dle, ) (Entered: 02/02/2006)
02/02/2006	156	MOTION in Limine no.4 for an order to preclude evidence and arguments contrary to public statements and evidence in the record related to interactivity. Document filed by Launch Media, Inc.. Return Date set for 3/3/2006 02:30 PM. (dle, ) (Entered: 02/02/2006)
02/06/2006	157	DECLARATION of Hadrian R. Katz. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc.. (djc, ) (Entered: 02/06/2006)
02/06/2006	158	MEMORANDUM OF LAW in Support of Motion in Limine to Exclude from Trial the Proposed Defense Expert Testimony of Brian Schmidt, Dan Burk, and Irving Azoff. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc.. (djc, ) (Entered: 02/06/2006)
02/07/2006	165	MOTION for Thomas F. Cullen, Jr. to Appear Pro Hac Vice. Attached is Affidavit of Thomas E. Albright. Document filed by Launch Media, Inc.. (djc, ) (Entered: 02/08/2006)
02/14/2006	166	MOTION for Tharan G. Lanier, Esq to Appear Pro Hac Vice. Document filed by Launch Media, Inc.; Attached is Affidavit of Thomas E. Albright. (djc, ) (Entered: 02/15/2006)
02/14/2006	167	MOTION for Jane L. Froyd to Appear Pro Hac Vice. Attached is Affidavit of Thomas E. Albright. Document filed by Launch Media, Inc.. (djc, ) (Entered: 02/15/2006)
02/15/2006	168	ORDER granting 165 Motion for Thomas F. Cullen to Appear Pro Hac Vice. (Signed by Judge Richard Owen on 2/15/06) (jco, ) (Entered: 02/17/2006)
02/15/2006		Transmission to Attorney Admissions Clerk. Transmitted re: 168 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jco, ) (Entered: 02/17/2006)
02/22/2006		CASHIERS OFFICE REMARK on 168 Order on Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 2/15/2006, Receipt Number 570218. (jd, ) (Entered: 02/22/2006)
02/24/2006		MEMO ENDORSEMENT granting 166 Motion for Tharan G. Lanier to Appear Pro Hac Vice. (Signed by Judge Richard Owen on 2/23/06) (kco, ) (Entered: 02/24/2006)
02/24/2006		MEMO ENDORSEMENT granting 167 Motion for Jane L. Froyd to Appear Pro Hac Vice. (Signed by Judge Richard Owen on 2/23/06) (kco, ) (Entered: 02/24/2006)
02/24/2006	169	NOTICE OF WITHDRAWAL; effective 1/31/2006 James F. Brelsford resigned from Jones Day, counsel for defendant in this matter and effective 3/25/2005 Daniel H. Bromberg resigned from Jones Day, they are directed to be removed from the docket. (Signed by Judge Richard Owen on 2/24/06) (kco, ) (Entered: 02/24/2006)
02/27/2006	183	DEFENDANT LAUNCH MEDIA, INC.'S NOTICE of Opposition to Plaintiffs' re: 156 MOTION in Limine.. Document filed by Launch Media, Inc.. (jmi, ) (Entered: 02/28/2006)
02/27/2006	184	DEFENDANT LAUNCH MEDIA, INC.'S NOTICE of of Opposition to Plaintiffs' re: 153 MOTION in Limine.. Document filed by Launch Media, Inc.. (jmi, ) (Entered: 02/28/2006)
02/27/2006	185	DEFENDANT LAUNCH MEDIA, INC.'S NOTICE of Opposition to Plaintiffs' re: 154 MOTION in Limine., 155 MOTION in Limine.. Document filed by Launch Media, Inc.. (jmi, ) (Entered: 02/28/2006)
03/09/2006	192	REPLY MEMORANDUM OF LAW in Support re: 155 MOTION in Limine. Document filed by Launch Media, Inc. (db, ) (Entered: 03/10/2006)
03/09/2006	193	REPLY MEMORANDUM OF LAW in Support re: 154 MOTION in Limine. Document filed by Launch Media, Inc. (db, ) (Entered: 03/10/2006)
03/09/2006	194	REPLY MEMORANDUM OF LAW in Support re: 153 MOTION in Limine. Document filed by Launch Media, Inc. (db, ) (Entered: 03/10/2006)
03/09/2006	195	REPLY MEMORANDUM OF LAW in Support re: 156 MOTION in Limine. Document filed by Launch Media, Inc. (db, ) (Entered: 03/10/2006)
03/15/2006		CASHIERS OFFICE REMARK on Order on Motion to Appear Pro Hac Vice, Order on Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 3/14/2006, Receipt Number 572632. (jd, ) (Entered: 03/15/2006)
03/23/2006	196	MOTION for Quratulaun Khalid Hussain to Appear Pro Hac Vice. Document filed by Arista Records Inc. (cd, ) (Entered: 03/24/2006)
03/23/2006	197	MOTION for Kim L. Rappaport to Appear Pro Hac Vice. Document filed by Arista Records Inc et al.. (cd, ) (Entered: 03/24/2006)
03/23/2006	198	MOTION for Danielle M. Edwards to Appear Pro Hac Vice. Document filed by Arista Records Inc. et al. (cd, ) (Entered: 03/24/2006)

03/23/2006	199	MOTION for Sarah M. Brackney to Appear Pro Hac Vice. Document filed by Arista Records Inc. et al. (cd, ) (Entered: 03/24/2006)
05/16/2006	200	SCHEDULING ORDER: Motions due by 6/15/2006. All other deadlines are set forth. (Signed by Judge Richard Owen on 5/15/06) (kco, ) (Entered: 05/17/2006)
05/16/2006	201	ORDER granting 199 Motion for Sarah M. Brackney to Appear Pro Hac Vice. (Signed by Judge Richard Owen on 5/15/06) (dle, ) (Entered: 05/17/2006)
05/16/2006		Transmission to Attorney Admissions Clerk. Transmitted re: 201 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (dle, ) (Entered: 05/17/2006)
05/16/2006	202	ORDER granting 197 Motion for Kim Rappaport to Appear Pro Hac Vice. (Signed by Judge Richard Owen on 5/16/06) (dle, ) (Entered: 05/17/2006)
05/16/2006		Transmission to Attorney Admissions Clerk. Transmitted re: 202 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (dle, ) (Entered: 05/17/2006)
05/16/2006	203	ORDER granting 198 Motion for Danielle M. Edwards to Appear Pro Hac Vice. (Signed by Judge Richard Owen on 5/15/06) (jco, ) (Entered: 05/17/2006)
05/16/2006	204	ORDER granting 196 Motion for Quratulann Khalid Hussain to Appear Pro Hac Vice. (Signed by Judge Richard Owen on 5/15/06) (jco, ) (Entered: 05/17/2006)
05/16/2006		Transmission to Attorney Admissions Clerk. Transmitted re: 204 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jco, ) (Entered: 05/17/2006)
05/16/2006		Transmission to Attorney Admissions Clerk. Transmitted re: 203 Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jco, ) (Entered: 05/17/2006)
06/28/2006	205	TRANSCRIPT of proceedings held on 6/15/2006 before Judge Richard Owen. (aba, ) (Entered: 06/28/2006)
07/05/2006	206	MOTION Appointment of a Master to Report upon Issues relating to the Computation of Damages. Document filed by Launch Media, Inc. Return Date set for 8/4/2006 02:30 PM. (jco, ) (Entered: 07/06/2006)
07/05/2006	207	MEMORANDUM OF LAW in Support re: 206 MOTION Appointment of a Master to Report upon Issues relating to the Computation of Damages. Document filed by Launch Media, Inc. (jco, ) (Entered: 07/06/2006)
07/05/2006	208	DECLARATION of Geoffrey S. Stewart in Support re: 206 MOTION Appointment of a Master to Report upon Issues relating to the Computation of Damages. (jco, ) (Entered: 07/06/2006)
07/06/2006		CASHIERS OFFICE REMARK on 202 Order on Motion to Appear Pro Hac Vice, 201 Order on Motion to Appear Pro Hac Vice, 203 Order on Motion to Appear Pro Hac Vice, 204 Order on Motion to Appear Pro Hac Vice in the amount of \$100.00, paid on 06/26/2006, Receipt Number 583291. (jd, ) (Entered: 07/06/2006)
07/11/2006	211	MOTION for Donald B. Ayer to Appear Pro Hac Vice. Document filed by Launch Media, Inc. (cd, ) (Entered: 07/12/2006)
07/11/2006	212	MEMORANDUM OF LAW in Support of its Proposed Jury Instructions. Document filed by Launch Media, Inc.. (jmi, ) (Entered: 07/12/2006)
07/20/2006	213	RESPONSE to Motion re: 206 MOTION Appointment of a Master to Report upon Issues relating to the Computation of Damages.. Document filed by Arista Records Inc.. (cd, ) (Entered: 07/25/2006)
07/26/2006	214	REPLY MEMORANDUM OF LAW in Support re: 206 MOTION Appointment of a Master to Report upon Issues relating to the Computation of Damages.. Document filed by Launch Media, Inc.. (jmi, ) (Entered: 07/28/2006)
07/26/2006	215	DECLARATION of Carmen M. Guerricagoinia in Support re: 214 Reply Memorandum of Law in Support of Motion. Document filed by Launch Media, Inc.. (jmi, ) (Entered: 07/28/2006)
07/28/2006	216	SCHEDULING ORDER: Responses due by 8/25/2006. Replies due by 9/8/2006. Deposition due by 8/11/2006. All other deadlines are set forth in this order. (Signed by Judge Richard Owen on 7/27/06) (kco, ) (Entered: 07/28/2006)
08/03/2006		MEMO ENDORSEMENT on re: 211 MOTION for Donald B. Ayer to Appear Pro Hac Vice. filed by Launch Media, Inc. EB+NDORSEMENT: Granted. (Signed by Judge Richard Owen on 8/2/2006) (lb, ) (Entered: 08/03/2006)
08/15/2006	217	PLAINTIFFS' PRETRIAL DISCLOSURE OF WITNESS. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc..(jmi, ) (Entered: 08/16/2006)
08/15/2006	218	PLAINTIFFS' PRETRIAL DISCLOSURE EXHIBIT. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc..(jmi, ) (Entered: 08/16/2006)
08/15/2006	219	PLAINTIFFS' DEPOSITION DESIGNATIONS. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc..(jmi, ) (Entered: 08/16/2006)
09/08/2006	220	ORDER; defendants move to exclude the expert opinion, testimony and report of Barry M. Massarsky, and plaintiffs have moved to preclude certain portions of the testimony from defense experts Kathleen M. Kedrowski and Vincent A. Warther, and to exclude in the entirety the proposed testimony of defense experts Brian Schmidt, Dan Burk, and Irving Azoff. The Court find said motions to be premature at this time, as issues pertaining to these expert witnesses are more appropriately addressed and resolved during the course of the trial. Plaintiffs moved to preclude introduction of evidence relating to other services and other licensing arrangements, as set forth in this Order. The Court find these other webcasting services and other licensing arrangements irrelevant to the determination of liability in this trial, and accordingly exclude them. Defendant's motion to preclude evidence and arguments contrary to public statements made by the Recording Industry Association of America and evidence in the record, is denied. (Signed by Judge Richard Owen on 9/7/2006) (kcc, ) (Entered: 09/08/2006)
09/25/2006	223	STIPULATED CASE SCHEDULING ORDER; that dfts to serve Deposition Transcript Designations, Exhibits List, and Witness List by 9/25/06; dfts to serve objections to plaintiffs' deposition transcript designations, Exhibits list and Witness List by 9/25/06; additional relief as set forth in this Order. (Signed by Judge Richard Owen on 9/21/06) (pl, ) (Entered: 09/27/2006)
09/25/2006	224	Objections and Counterdesignations to 219 Deposition. Document filed by Launch Media, Inc. (jco, ) (Entered: 09/27/2006)
09/25/2006	225	Deposition Designations. Document filed by Launch Media, Inc. (jco, ) (Entered: 09/27/2006)
09/25/2006	226	Objections to plaintiffs' pretrial disclosure of witnesses. Document filed by Launch Media, Inc. (jco, ) (Entered: 09/27/2006)
09/25/2006	227	Objection re: 217 Witness List. Document filed by Launch Media, Inc. (jco, ) (Entered: 09/27/2006)



09/25/2006	228	Pretrial Disclosure of Witnesses. Document filed by Launch Media, Inc. (jco, ) (Entered: 09/27/2006)
09/25/2006	229	Pretrial Disclosure of Exhibits. Document filed by Launch Media, Inc. (jco, ) (Entered: 09/27/2006)
10/10/2006	230	SCHEDULING ORDER: plaintiffs to serve objections to defendant's deposition transcript by 10/19/2006, plaintiffs to serve rebuttal deposition transcript by 10/19/2006, defendant to serve objections to plaintiffs' rebuttal deposition transcript designations by 10/31/2006, and hearing and conference on anything open and setting trial date per the order of the Court. (Signed by Judge Richard Owen on 10/6/06) (kco, ) (Entered: 10/11/2006)
10/24/2006	233	Objections and Counterdesignations to Defendant's Deposition Designations. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc.. (ae, ) (Entered: 10/30/2006)
10/24/2006	234	Plaintiffs' Supplemental Disclosure of Exhibits. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc.. (ae, ) (Entered: 10/30/2006)
10/24/2006	235	Objections to Defendant's Pretrial Disclosure of Exhibits. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc.. (ae, ) (Entered: 10/30/2006)
10/24/2006	236	Objections to Defendant's Pretrial Disclosure of Witnesses. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc.. (ae, ) (Entered: 10/30/2006)
10/25/2006	231	NOTICE OF APPEARANCE by Michael S. Elkin on behalf of Launch Media, Inc. (cd, ) (Entered: 10/26/2006)
10/25/2006	232	NOTICE OF APPEARANCE by Thomas Patrick Lane on behalf of Launch Media, Inc. (cd, ) (Entered: 10/26/2006)
10/31/2006	237	Objections to Plaintiffs' Pretrial Disclosure of Rubuttal Witnesses.(pl, ) (Entered: 11/03/2006)
11/16/2006	238	MOTION for Jones Day to Withdraw as Attorney for deft Launch Media. (cd, ) (Entered: 11/20/2006)
11/29/2006	239	ORDER granting 238 Motion to Withdraw as Attorney. Attorney Chris J. Lopata; Geoffrey S. Stewart; Peter J. Wang; Thomad Albright and Donald B. Ayer terminated . (Signed by Judge Richard Owen on 11/28/2006) (lb, ) (Entered: 11/29/2006)
12/04/2006	240	NOTICE of Law Firm Name Change re: Thelen Reid & Preist LLP has changed its name to Thelen Reid Brown Raysman & Steiner LLP. Document filed by Launch Media, Inc. (db, ) (Entered: 12/06/2006)
12/04/2006	241	NOTICE OF APPEARANCE by Shari Markowitz Savitt on behalf of Launch Media, Inc. (db, ) (Entered: 12/06/2006)
03/05/2007	242	STIPULATION AND ORDER: that Winston & Strawn LLP is substituted as counsel for defendant Launch Media, Inc. in place and stead of Thelen Reid Brown Raysman & Steiner LLP. (Signed by Judge Richard Owen on 3/5/07) (db) (Entered: 03/06/2007)
04/06/2007	246	MEMORANDUM OF LAW in Opposition to Defts. Motions in Limine Nos. 5 and 6. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc., Sony Music Entertainment Inc., UMG Recordings Inc., Interscope Records, Motown Record Company, L.P.. (tro) (Entered: 04/10/2007)
04/10/2007	247	MEMORANDUM OF LAW in plaintiffs opposition to defendant's motions in limine nos. 7 and 8. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc.. (mbe) (Entered: 04/11/2007)
04/16/2007		Minute Entry for proceedings held before Judge Richard Owen : Jury Trial begun on 4/16/2007. (mbe) (Entered: 05/01/2007)
04/17/2007	248	MOTION for an Order, purs. to FRCP 1.3(c) for Ellen Wasilausky Woodward to Appear Pro Hac Vice. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc., Sony Music Entertainment Inc., UMG Recordings Inc., Interscope Records, Motown Record Company, L.P.(tro) (Entered: 04/18/2007)
04/17/2007		Minute Entry for proceedings held before Judge Richard Owen : Jury Trial held on 4/17/2007. (mbe) (Entered: 05/01/2007)
04/18/2007	249	MEMORANDUM Regarding Legislative History of the Digital Millenium Copyright Act. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc.. (djc) (Entered: 04/19/2007)
04/18/2007		Minute Entry for proceedings held before Judge Richard Owen : Jury Trial held on 4/18/2007. (mbe) (Entered: 05/01/2007)
04/19/2007		Minute Entry for proceedings held before Judge Richard Owen : Jury Trial held on 4/19/2007. (mbe) (Entered: 05/01/2007)
04/23/2007		CASHIERS OFFICE REMARK on 248 Motion to Appear Pro Hac Vice, in the amount of \$25.00, paid on 04/17/2007, Receipt Number 611878. (jd) (Entered: 04/23/2007)
04/23/2007		Minute Entry for proceedings held before Judge Richard Owen : Jury Trial held on 4/23/2007. (mbe) (Entered: 05/01/2007)
04/24/2007	250	TRANSCRIPT of proceedings held on 4/12/2007 before Judge Richard Owen. (jp) (Entered: 04/24/2007)
04/24/2007	251	ORDER granting 248 Motion for Ellen Wasilausky Woodward to Appear Pro Hac Vice. (Signed by Judge Richard Owen on 4/23/07) (jco) (Entered: 04/25/2007)
04/24/2007		Minute Entry for proceedings held before Judge Richard Owen : Jury Trial held on 4/24/2007. (mbe) (Entered: 05/01/2007)
04/25/2007		Minute Entry for proceedings held before Judge Richard Owen : Jury Trial held on 4/25/2007. (mbe) (Entered: 05/01/2007)
04/26/2007		Minute Entry for proceedings held before Judge Richard Owen : Jury Trial held on 4/26/2007. (mbe) (Entered: 05/01/2007)
04/27/2007	252	MEMORANDUM OF LAW in Support of Plaintiff's Motion for Judgment as a Matter of law on the issue of interactivity and willfulness and in opposition to defendant's motion for judgment as a matter of law. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc.. (djc) (Entered: 04/30/2007)
04/27/2007		Minute Entry for proceedings held before Judge Richard Owen : Jury Trial completed on 4/27/2007. (mbe) (Entered: 05/01/2007)
04/27/2007		Minute Entry for proceedings held before Judge Richard Owen : Jury Trial completed on 4/27/2007 in favor of defendants-see copy of verdict sheet attached. (mbe) (Entered: 05/01/2007)
05/16/2007	258	JUDGMENT that the jury having found that the plaintiffs failed to prove, by a preponderance of the evidence, that defendant Launch Media, Inc. infringed any of plaintiffs' copyrighted works in violation of 17 U.S.C 114(d) by being an interactive service, accordingly, the complaint is dismissed. (Signed by Judge Richard Owen on 5/15/07) (ml) (Entered: 05/16/2007)
05/17/2007		Mailed notice of Right to Appeal re: 258 Judgment, to Attorney(s) of Record: Michael S. Elkin, Robert A. Goodman, Shari Hope Markowitz, Brad Richard Newberg, Kenneth Alan Plevan, Ellen Wasilausky Woodward. (tve) (Entered: 05/18/2007)

06/12/2007	260	NOTICE OF APPEAL from 258 Judgment.. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music. Filing fee \$ 455.00, receipt number E 618035. Copies of Notice of Appeal mailed to attorney(s) of record: Winston & Strawn LLP. (nd) (Entered: 06/13/2007)
06/13/2007		Transmission of Notice of Appeal to the District Judge re: 260 Notice of Appeal.. (nd) (Entered: 06/13/2007)
06/13/2007		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 260 Notice of Appeal.. (nd) (Entered: 06/13/2007)
06/20/2007	261	IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel for plaintiffs and Defendant Launch Media, Inc. that: Plaintiff's papers in opposition to Defendant's motion for attorney's fees shall be served no later than June 29, 2007; Defendant's reply papers shall be served no later than July 13, 2007. SO ORDERED. (Signed by Judge Richard Owen on 6/20/07) (tro) (Entered: 06/22/2007)
06/26/2007	262	TRANSCRIPT of proceedings held on 03/16,17,18,19,20,23,24/07 before Judge Richard Owen. (es) (Entered: 06/26/2007)
06/26/2007	263	TRANSCRIPT of proceedings held on 03/25,26,27/07 before Judge Richard Owen. (es) (Entered: 06/26/2007)
07/02/2007	264	MEMORANDUM OF LAW IN OPPOSITION to deft's motion for attorneys fees. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc.. (jp) (Entered: 07/06/2007)
07/02/2007	265	DECLARATION of Robert A. Goodman In Opposition to Defts motion for attorneys fees. Document filed by Zomba Recording Corporation, Arista Records Inc., Bad Boy Records, BMG Music, Capitol Records, Inc., Virgin Records America, Inc.. (jp) (Entered: 07/06/2007)
08/16/2007	267	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal for 260 Notice of Appeal, filed by Bad Boy Records, Arista Records Inc., Zomba Recording Corporation, BMG Music USCA Case Number 07-2576-cv, 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (ud) Additional attachment(s) added on 8/21/2007 (Pisarczyk, Thomas). (Entered: 08/17/2007)
09/24/2007	268	TRANSCRIPT of proceedings held on 4/10/2007 before Judge Richard Owen. (jar) (Entered: 09/24/2007)
09/27/2007		Minute Entry for proceedings held before Judge Richard Owen : Oral Argument held on 9/27/2007 re: motion for attorney's fees. (tro) (Entered: 10/02/2007)
11/07/2007	269	STIPULATION AND ORDER Supplementing THE RECORD; that the following terms shall be deemed added to the record in this action; a) Transcript of court conference dated 4/10/07, b) Trial exhibits marked as set forth in this order; c) plaintiffs Proposed jury Instructions, dated 7/11/07, d) Stipulation between and among the parties concerning issues relating to ownership of allegedly infringed works, dated 4/23/07, e) Excerpts of the deposition transcripts of Hala Al-Adwan, Gil Aronow, and Daniel Zucker, f) Launch Media, Inc. Form 10Q, dated 6/4/1999, g) Launch Media, Inc. Prospectus, dated 4/26/1999, h) Screen prints of various internet music websites, previously submitted to the Court as Exhibit 3 to the Declaration of Hadrian R. Katz, dated 2/24/06 (in opposition to Defendants motion in limine No. 2.) i) Seven prints of web pages located at the Internet addresses set forth in this order. (Signed by Judge Richard Owen on 11/6/07) (pl) (Entered: 11/07/2007)
11/08/2007	270	TRANSCRIPT of proceedings held on 9/27/07 before Judge Richard Owen. (cd) (Entered: 11/08/2007)
02/22/2008	271	NOTICE OF CASE REASSIGNMENT to Judge Naomi Reice Buchwald. Judge Richard Owen is no longer assigned to the case. (jeh) (Entered: 03/03/2008)
02/22/2008		Mailed notice to the attorney(s) of record. (jch) (Entered: 03/03/2008)
03/31/2008	272	ORDER: We deny Launch's motion for fees without prejudice to renewal should the outcome of the current appeal before the Second Circuit Court of Appeals warrant reconsideration. As there are no open motions before this District Court, the Clerk of the Court is directed to close the case. (Signed by Judge Naomi Reice Buchwald on 3/28/08) Copies Mailed By Chambers. (tro) (Entered: 03/31/2008)
04/14/2008	273	MOTION for Reconsideration Defendant's motion for attorneys' fees pursuant to 17 U.S.C. 505; finding Plaintiffs liable to Defendant for an award of attorneys' fees;(3) providing a procedure for the Court to determine the amount of fees to be awarded, pursuant to Fed.R.Civ.P. 54(d)(2)(C) and (D); and (4) for such other and further relief as the Court deems just and proper. Document filed by Launch Media, Inc..(jmi) (Entered: 04/15/2008)
04/14/2008	274	MEMORANDUM OF LAW in Support re: 273 MOTION for Reconsideration. Document filed by Launch Media, Inc.. (jmi) (Entered: 04/15/2008)
04/17/2008	275	NOTICE OF APPEAL from 272 Order. Document filed by Launch Media, Inc. Filing fee \$ 455.00, receipt number E 648489. Copies mailed to attorney(s) of record: Arnold & Porter, L.L.P. (tp) (Entered: 04/17/2008)
04/17/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 275 Notice of Appeal. (tp) (Entered: 04/17/2008)
04/17/2008		Transmission of Notice of Appeal to the District Judge re: 275 Notice of Appeal. (tp) (Entered: 04/17/2008)
04/23/2008	276	STIPULATION AND ORDER, plaintiffs' papers in opposition to defendant's motion for reconsideration of the Court's order denying Defendants' motion for attorneys' fees shall be served no later than 5/9/08; defendant's reply papers shall be served no later than 5/23/08 (Signed by Judge Naomi Reice Buchwald on 4/22/08) (cd) (Entered: 04/23/2008)
05/09/2008	277	MEMORANDUM OF LAW in Opposition re: 273 MOTION for Reconsideration. Document filed by Arista Records Inc. (cd) (Entered: 05/12/2008)
05/16/2008	278	REPLY MEMORANDUM OF LAW in Further Support re: 273 MOTION for Reconsideration. Document filed by Launch Media, Inc. (pl) (Entered: 05/19/2008)